

MAP 4A
E.D. 15
DATE 12-11-86
200 ✓
1000 ✓
DP

86-324-A
Della A. Surguy,
S/S of Todd Ave., W/S of Howard Ave.,
550' and 450' respectively, S of Old
Bay Rd.
15th Election District

202 86-324-A **PETITION FOR ZONING VARIANCE** TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1902.3C.1 to permit lot widths of 50' in lieu of the required 55'

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

These lots have been owned by one owner for a number of years and are described as separate lots on the deed. It would be an unreasonable hardship if we are forced to combine lots. Since they were owned by us for so long, good faith dictates that we should be allowed to develop these lots separately. We did not just recently purchase these lots. Because they have been owned by us for so long and we are elderly we need the additional income that the sale of said lots will generate. In addition, there are other 50' lots in the area. Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

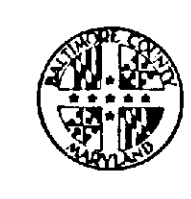
Contract Purchaser: _____
(Type or Print Name)
Signature _____
Address _____
City and State _____
Attorney for Petitioner: _____
(Type or Print Name)
Signature _____
Address _____
City and State _____
Attorney's Telephone No.: _____
Name, address and phone number of leg. owner, contract purchaser or representative to be contacted
Name _____
Address _____
City and State _____
Name _____
Address _____
City and State _____
Phone No. _____

ORDERED By The Zoning Commissioner of Baltimore County, this 21st day of January, 1986, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 25th day of February, 1986, at 10:15 o'clock.

BY *[Signature]*
ADMINISTRATIVE ASSISTANT

(over)

MAP SE-91
4A
E.D. 15
DATE 12-11-86
200 ✓
1000 ✓
DP



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JARLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

March 3, 1986

Ms. Della A. Surguy
9228 Todd Avenue
Port Howard, MD 21052

RE: PETITION FOR VARIANCE
E/S of Todd Ave., W/S of
Howard Ave., 550' and 450',
respectively S of Old Bay Rd.
15th Election District
Della A. Surguy, et ux,
Petitioners
Case No. 86-324-A

Dear Ms. Surguy:

I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,
[Signature]
JEAN M. H. JUNG
Deputy Zoning Commissioner

JMHJ:bg

Attachments

cc: People's Counsel

Mr. Stoney Fraley
Department of State Planning
361 West Preston Street
Baltimore, MD 21201

IN RE: PETITION FOR VARIANCE
E/S of Todd Ave., W/S of
Howard Ave., 550' and 450',
respectively S of Old Bay Rd.
15th Election District
Della A. Surguy, et ux,
Petitioners
Case No. 86-324-A

The Petitioners herein request variances to permit lot widths of 50 feet in lieu of the required 55 feet.

Testimony by the Petitioner indicated that the family originally owned six 50-foot lots on the north side of Howard Avenue and six 50-foot lots on the south side of Todd Avenue across the street from the Petitioner's residence. Six of the lots were sold a number of years ago. At this time, the Petitioner proposes to provide the two lots on Todd Avenue to two grandchildren for the construction of dwellings and, at the same time, obtain variances for the lots on Howard Avenue so that, in the future, she can sell them as four separate building lots. There were no Protestants.

The Petitioner stipulated that the Deputy Zoning Commissioner could visit the site and the general neighborhood. The site visit revealed that, while some dwellings in the immediate neighborhood have utilized 100-foot lots, the majority are placed on 50-foot lots.

Pursuant to the advertisement, posting of property, and public hearing on the petition; it appearing that strict compliance with the Baltimore County Zoning Regulations (BCZR) would result in practical difficulty and unreasonable hardship upon the Petitioners; Baltimore County having reviewed the application involving property located in the Maryland Chesapeake Bay Critical Areas and having determined that it is consistent with the requirements of the State of Maryland to minimize adverse impacts on water quality and fish, wildlife, and plant habitat; and the granting of the requested variances not adversely affect-

86-324-A
March 3, 1986
DATE
BY

ing the health, safety, and general welfare of the community, the variances should be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 3rd day of March, 1986, that the herein Petition for Variance to permit lot widths of 50 feet in lieu of the required 55 feet is hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

- Compliance with the following mitigative practices designed to minimize adverse impacts on water quality and fish, wildlife, and plant habitat in the Maryland Chesapeake Bay Critical Area:
 - Plant and maintain no less than one (1) major deciduous or two (2) conifers or four (4) minor deciduous trees, based on an area suitable for tree planting of 600 square feet.
 - No rain water runoff shall be discharged directly into Shallow Creek. It shall, instead, be directed overland so as to encourage infiltration.

[Signature]
Deputy Zoning Commissioner
of Baltimore County

JMHJ:bg

Located on the east side of Todd Ave. and the west side of Howard Avenue approximately 550' and 450', respectively south of Old Bay Road and known as lots 11-14 and 79-86 as shown on the Plat of Steelton Development Company which is recorded in land records of Baltimore County in Liber 6 folio 155.

PETITION FOR ZONING VARIANCES 15th Election District

LOCATION: East Side of Todd Avenue, West Side of Howard Avenue, 550 feet and 450 feet respectively South of Old Bay Road
DATE AND TIME: Tuesday, February 25, 1986, at 10:15 a.m.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Zoning Variances to permit lot widths of 50 feet in lieu of the required 55 feet regarding Lots 11-14 and 79-86.

Being the property of Della A. Surguy, et ux, as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JARLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

RE: PETITION FOR VARIANCES : BEFORE THE ZONING COMMISSIONER
E/S of Todd Ave., W/S : OF BALTIMORE COUNTY
of Howard Ave., 550' & 450' :
respectively S of Old Bay :
Rd., 15th District :
Della A. SURGUY, et ux, : Case No. 86-324-A
Petitioner

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

[Signature]
Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

[Signature]
Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Room 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 31st day of January, 1986, a copy of the foregoing Entry of Appearance was mailed to Charles J. Novak, Jr., Esquire, 113 E. 25th St., Baltimore, MD 21218, Attorney for Petitioners.

[Signature]
Peter Max Zimmerman
Peter Max Zimmerman

ORDER RECEIVED FOR FILING
DATE March 3, 1986
BY *[Signature]*
ADMINISTRATIVE ASSISTANT

OFFICE COPY

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would/would not result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will/will not adversely affect the health, safety, and general welfare of the community, the variance(s) should /should not be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the herein Petition for Variance(s) to permit



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

February 18, 1986

Mrs. Della A. Surguy
Mr. August F. Surguy
9228 Todd Avenue
Ft. Howard, Maryland 21052

Re: Petition for Zoning Variances
E/S of Todd Ave., W/S of Howard Ave., 550' and 450'
respectively S of Old Bay Rd.
15th Election District
Della A. Surguy, et ux - Petitioners
Case No. 86-324-A

Dear Mr. and Mrs. Surguy:

This is to advise you that \$83.55 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by this office until the day of the hearing itself.

Please make the check payable to Baltimore County, Maryland, and remit building, Towson, Maryland

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT		No. 018509
DATE 2/25/86	ACCOUNT B-01-615-000	
AMOUNT \$ 93.55		
RECEIVED FROM August F. and Della Surguy		
FOR Advertising & Posting to Case 86-324-A		
P 8634*****324513 02214		
VALIDATION OR SIGNATURE OF CASHIER		

Mrs. Della A. Surguy
Mr. August F. Surguy
9228 Todd Avenue
Ft. Howard, Maryland 21052

January 24, 1986

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCES
E/S of Todd Ave., W/S of Howard Ave., 550' and 450'
respectively S of Old Bay Rd.
15th Election District
Della A. Surguy, et ux - Petitioners
Case No. 86-324-A

TIME: 10:15 a.m.

DATE: Tuesday, February 25, 1986

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT		No. 012379
DATE 1/22/86	ACCOUNT R-01-615-000	
AMOUNT \$ 35.00		
RECEIVED FROM King Joe for Rent #200		
P 8636*****3008342644		
VALIDATION OR SIGNATURE OF CASHIER		

CHARLES J. NOVAK, JR.
ATTORNEY AT LAW
113 E. 25TH STREET
BALTIMORE, MD. 21218

February 5, 1986

Mr. Arnold Jablon
Zoning Commissioner
111 E. Chesapeake Avenue
Towson, Maryland 21204

Re: Petition for Variances
by Della A. Surguy, et ux
Case No. 86-324-A

Dear Sir:

I today received the enclosed "Entry of Appearance", which was addressed to me as "Attorney for Petitioners". I am not the attorney for the Petitioners, and my appearance as such was somehow entered in error and without my permission.

Please strike my appearance as Attorney for Petitioners in said matter.

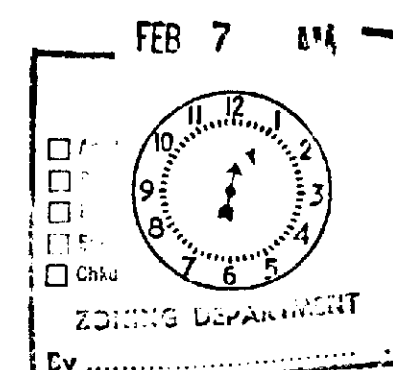
Yours very truly,

Charles J. Novak, Jr.

CJN,jclh

Enclosure

cc: Mrs. Della A. Surguy



CERTIFICATE OF PUBLICATION

TOWSON, MD., February 6, 1986

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on February 6, 1986.

THE JEFFERSONIAN,

13 Kenton

Publisher

Cost of Advertising

24.75

PETITION FOR ZONING VARIANCES
15th Election District
LOCATION: East Side of Todd Avenue, West Side of Howard Avenue, 550 feet and 450 feet respectively South of Old Bay Road
DATE AND TIME: Tuesday, February 25, 1986, at 10:15 a.m.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the petition for zoning variances to permit the widening of 50 feet in the required 55 feet regarding Lots 11-14 and 75-86.
Being the property of Della A. Surguy, et ux, as shown on plat filed with the Zoning Office.
In the event that the Petitioner is granted, a building permit may be issued within the time of the appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during the period for good cause shown. Such request must be received in writing by the date of the hearing as above or made at the hearing.
By Order of:
ARNOLD JABLON,
Zoning Commissioner
of Baltimore County
Feb. 6

86-324-A

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 15th Date of Posting: 2/11/86
Posted to: Variance
Petitioner: Della A. Surguy, et ux
Location of property: E/S Todd Ave., W/S Howard Ave., 550' & 450' respectively S of Old Bay Rd., 15th Election District
Location of Signs: Signs were posted on site of property at Howard Ave. & Todd Ave. on the two lots on both. The signs were removed and signs found on corner.
Remarks: Signs were posted on site of property at Howard Ave. & Todd Ave. on the two lots on both. The signs were removed and signs found on corner.
Posted by: [Signature] Date of return: 2/11/86
Number of Signs: 6

RE: PETITION FOR VARIANCES : BEFORE THE ZONING COMMISSIONER
E/S of Todd Ave., W/S : OF BALTIMORE COUNTY
of Howard Ave., 550' & 450' :
respectively S of Old Bay :
Rd., 15th District :
DELLA A. SURGUY, et ux : Case No. 86-324-A
Petitioner :
: : : : :
: : : : :

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Deputy People's Counsel
Room 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 31st day of January, 1986, a copy of the foregoing Entry of Appearance was mailed to Charles J. Novak, Jr., Esquire, 113 E. 25th St., Baltimore, MD 21218, Attorney for Petitioners.

Peter Max Zimmerman

CERTIFICATE OF PUBLICATION

OFFICE OF
Dundalk Eagle

38 N. Dundalk Ave.
Dundalk, Md. 21222 February 12, 1986

THIS IS TO CERTIFY, that the annexed advertisement of Arnold Jablon in the matter of P.O. #73308 - Req. #1, 87453 - 72 lines @ \$28.80, was inserted in The Dundalk Eagle a weekly newspaper published in Baltimore County, Maryland, once a week for one successive weeks before the 7th day of February 1986; that is to say, the same was inserted in the issues of Feb. 6, 1986

Kimbel Publication, Inc.

per Publisher.

By K.E. Oller

PETITION FOR ZONING VARIANCES
15th Election District
LOCATION: East Side of Todd Avenue, West Side of Howard Avenue, 550 feet and 450 feet respectively South of Old Bay Road
DATE AND TIME: Tuesday, February 25, 1986, at 10:15 a.m.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the petition for zoning variances to permit the widening of 50 feet in the required 55 feet regarding Lots 11-14 and 75-86.
Being the property of Della A. Surguy, et ux, as shown on plat filed with the Zoning Office.
In the event that the Petitioner is granted, a building permit may be issued within the time of the appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during the period for good cause shown. Such request must be received in writing by the date of the hearing as above or made at the hearing.
By Order of:
ARNOLD JABLON,
Zoning Commissioner
of Baltimore County
Feb. 6

86-324-A

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner Date: February 10, 1986
Norman E. Gerber, AICP, Director
FROM: Office of Planning and Zoning
Chesapeake Critical Area Review - Raymond Porter, et ux (86-307-A);
SUBJECT: The Owl Corp. (86-307-A); B.W. Pierce, Jr., et ux (86-304-A);
A.F. Surguy, et ux (86-324-A); and H. Horney (86-312-A)

In regard to the Porter, et ux and the Owl Corp., it has been determined that these two petitions are consistent with the requirements of Critical Area statute without the need of mitigative or other management practices.

The H. Horney petition involves a wooded site with a number of specimen trees. This petition will be deemed to meet the requirements of the Critical Area statute, if as many trees as possible are conserved, this would require a simple plan showing the existing trees and indicating which ones are to be retained. In addition, a plan to protect the trees during construction is necessary. As a minimum, each lot should contain four major deciduous trees or eight conifers or 16 minor deciduous trees. Existing trees that are retained on-site can be utilized toward meeting this requirement. This tree allocation is based on 2,400 feet of area suitable for tree planting. At the petitioner's discretion, any mix or combination of plantings would be appropriate based on the formula of one major deciduous or two conifers or four minor deciduous trees for every 600 square feet of area.

The petitions of B. W. Pierce, Jr. and A. F. Surguy, et ux involve lots which are predominately or entirely clear of trees. With regard to the B. W. Pierce, Jr. petition, it has been determined that a combination of six large deciduous or 12 conifers or 24 small deciduous trees be planted based on an area of 3,600 square feet suitable for tree planting.

In regard to the A. F. Surguy petition, it is recommended, based on area suitable for tree planting of 600 square feet, that one major deciduous or two conifers or four minor deciduous trees be planted on each lot.

In regard to the H. Horney, B. W. Pierce, Jr., et ux and Surguy, et ux, petitions, it is recommended that infiltration from the lots' impervious surfaces be maximized by directing such runoff over the largest permeable area possible toward a suitable offsite location. This is greatly preferred as compared to outletting runoff directly onto walks, driveways or streets.

NEG/PJS/st

cc: Mr. Tom Vidmar, Bureau of Engineering
People's Counsel
Ms. Jean M. H. Jung
Mr. J. Hoswell
Ms. Andrea J. Van Arsdale

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon
Zoning Commissioner
Date: February 13, 1986

FROM: Norman E. Gerber, AICP, Director
Office of Planning and Zoning

SUBJECT: Zoning Petitions No. 86-304-A, 86-314-A and 86-324-A

Please consider the Chesapeake Critical Area Review comments (see memo dated 2/10/86, Gerber to Jablon) to be the comments of this office.

Norman E. Gerber
Norman E. Gerber, AICP
Director

NEG:JCH:slm

Case No. 86-324-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this
21st day of January, 1986.

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

Petitioner August F. Surguy, et ux
Petitioner's Attorney

Received by: *James E. Dyer*
Chairman, Zoning Plans
Advisory Committee



BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS
DIRECTOR

January 7, 1986

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. -ZAC- Meeting of November 3, 1985
Property Owner:
Location:
Existing Zoning:
Proposed Zoning:

Acres:
District:

Dear Mr. Jablon:

The department of Traffic Engineering has no comments for items number 190, 191, 192, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, and 206.

MTF/bld

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Associate II

2/25
86-324-A

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

January 29, 1986

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Mr. and Mrs. August F. Surguy
9228 Todd Avenue
Fort Howard, Maryland 21052

RE: Item No. 202 - Case No. 86-324-A
Petitioners - August F. Surguy, et ux
Variance Petition

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Dear Mr. and Mrs. Surguy:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

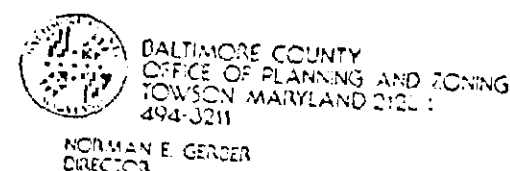
Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:nr

Enclosures



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
494-3550

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

JANUARY 28, 1986
(CRITICAL AREA)

RE: Zoning Advisory Meeting of DECEMBER 3, 1985
Item # 202
Property Owner: AUGUST F. SURGUY, ET UX
Location: E/S 4 W/S TODD AVE. & HOWARD AVE.
550' & 450' RESPECTIVELY S. OF OLD BAY RD.

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- ☒ There are no site planning factors requiring comment.
- ☒ A County Review Group meeting is required.
- ☒ A County Review Group meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- ☒ This site is part of a larger tract to be subdivided.
- ☒ The plan must show the entire tract.
- ☒ A record plat will be required and must be recorded prior to issuance of a building permit.
- ☒ The access is not satisfactory.
- ☒ The circulation on this site is not satisfactory.
- ☒ The parking arrangement is not satisfactory.
- ☒ Parking calculations must be shown on the plan.
- ☒ This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- ☒ Construction in or alteration of the floodplain is prohibited under the provisions of Section 26-28 of the Development Regulations.
- ☒ Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- ☒ The amended Development Plan was approved by the Planning Board on _____.
- ☒ Landscaping: Must comply with Baltimore County Landscape Manual, Bill 177-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is _____.
- ☒ The property is located in a traffic area controlled by a top level intersection as defined by Bill 173-79, and as conditions change the re-evaluation shall be by the County Council.
- ☒ THE SITE IS LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA. ADDITIONAL COMMENTS WILL BE PROVIDED BY THE COMPREHENSIVE PLANNING DIVISION.

cc: James Howell

Norman A. Boser
Chief, Current Planning and Development



BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2566
474-4500

PAUL H. RENCKE
CHIEF

Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Comandari, Chairman
Zoning Plans Advisory Committee

December 17, 1985

RE: Property Owner: August F. Surguy, et ux (critical area)

Location: ES & WS Todd Avenue and Howard Avenue, 550' and 450' respectively
S of Old Bay Road
Item No.: 202 Zoning Agenda: Meeting of December 3, 1985

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- (X) 1. Fire hydrants for the referenced property are required and shall be located at intervals of 750 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicular access is required for the site.
- () 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- () 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- () 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *John F. O'Reilly*
Approved: _____
Planning Group
Special Inspection Division

/mb



BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3610

TED ZALESKI, JR.
DIRECTOR

December 23, 1985

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 202 Zoning Advisory Committee Meeting are as follows:

Property Owner: August F. Surguy, Et ux (Critical Area)
Location: E/S and W/S Todd Avenue and Howard Avenue, 550' and 450' respectively
District: 15th. S of Old Bay Road

APPLICABLE ITEMS ARE CHECKED:

- ☒ All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Handicapped and Aged (A.M.S.C. 11-1-1 - 1980) and other applicable Codes and Standards.
- ☒ A building and other miscellaneous permits shall be required before the start of any construction.
- ☒ Residential: Two sets of construction drawings are required to file a permit application. Reproduced seals are not acceptable.
- ☒ Commercial: Three sets of construction drawings are required to file a permit application. Reproduced seals are not acceptable.
- ☒ All Use Groups except B-1 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0" to an interior lot line. B-1 Use Groups require a one hour wall if closer than 3'-0" to an interior lot line. Any wall built on an interior lot line shall require a fire or party exterior wall within 3'-0" of an interior lot line.
- ☒ The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 505 and 509 and have your Architect/Engineer contact this department.
- ☒ The requested variance appears to conflict with Section(s) _____ of the Baltimore County Building Code.
- ☒ When filing for a required Change of Use/Grouping Permit, an alternative permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or Engineer seals are usually required. The Change of Use Groups are from the _____ to the _____ or to _____ See Section 312 of the Building Code.

NOTE:

- ☒ The proposed project appears to be located in a Flood Plain, Tidal/Riverine. Please see the attached copy of Section 116.1 of the Building Code as adopted by Bill #11-85. Site plans shall show the correct elevations above sea level for the lot and the finished floor levels including basement.
- ☒ Comments: Show finished floor elevations including basement, if there are any as required by Section 516.0.

2. These abbreviated comments refer only to the information provided by the drawings submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired, the applicant may obtain additional information by visiting Room 210 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

By: C. E. Burman, Chief
Building Plans Section

SPECIAL NOTES FOR CONSTRUCTION IN TIDAL RIVERINE AREAS BILL #17-85 BALTIMORE COUNTY BUILDING CODE 1984 EFFECTIVE - APRIL 22, 1985

SECTION 516.0 A Section added to read as follows:

SECTION 516.0 CONSTRUCTION IN AREAS SUBJECT TO FLOODING

516.1 AREAS SUBJECT TO INUNDATION BY TIDEWATERS:

1. Whenever building or additions are constructed in areas subject to inundation by tides/waters, the building's lowest floor (including basement) shall be not lower than one (1) foot above the 100-year flood elevation, as established by the U.S. Army Corps of Engineers or the Federal Flood Insurance Study, whichever is more restrictive. These buildings or additions shall be designed and adequately anchored to prevent flotation, collapse, or lateral movement of the structure with materials resistant to flood damage.

Areas beneath buildings will not be considered as basements if headroom to underside of floor joists is less than six feet or if enclosure walls are at least 50 percent open.

2. Crawls spaces under buildings constructed in the tidal plain, as determined by the U.S. Army Corps of Engineers or the Federal Flood Insurance Study, whichever is the more restrictive, shall be constructed so that water will pass through without resulting debris causing damage to the improvements of any property.

3. New or replacement utility systems, including but not limited to water supply, sanitary sewage, electric, gas and oil, must be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters, and require on-site waste disposal systems to be located so as to avoid impairment of them or contamination from them during flooding.

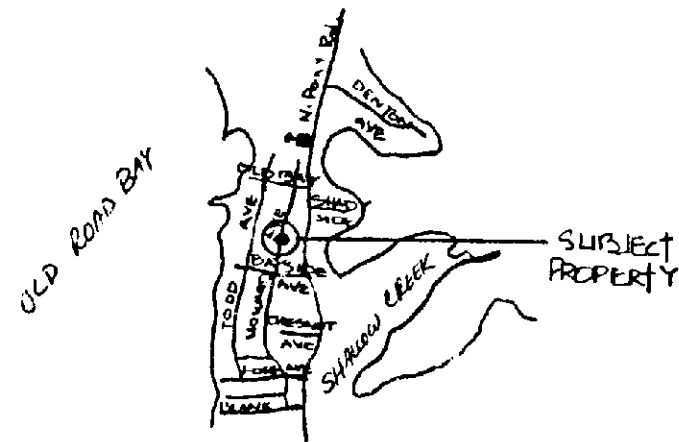
516.2 RIVERINE AREAS SUBJECT TO INUNDATION BY SURFACE WATERS WITHIN THE 100 YEAR FLOOD PLAIN:

1. No structures or additions shall be within the 100-year flood plain of any watercourse. The 100-year flood plain shall be based upon the Federal Flood Insurance Study or the Department of Public Works, whichever is the more restrictive. This determination shall include planned future development of the watershed area.

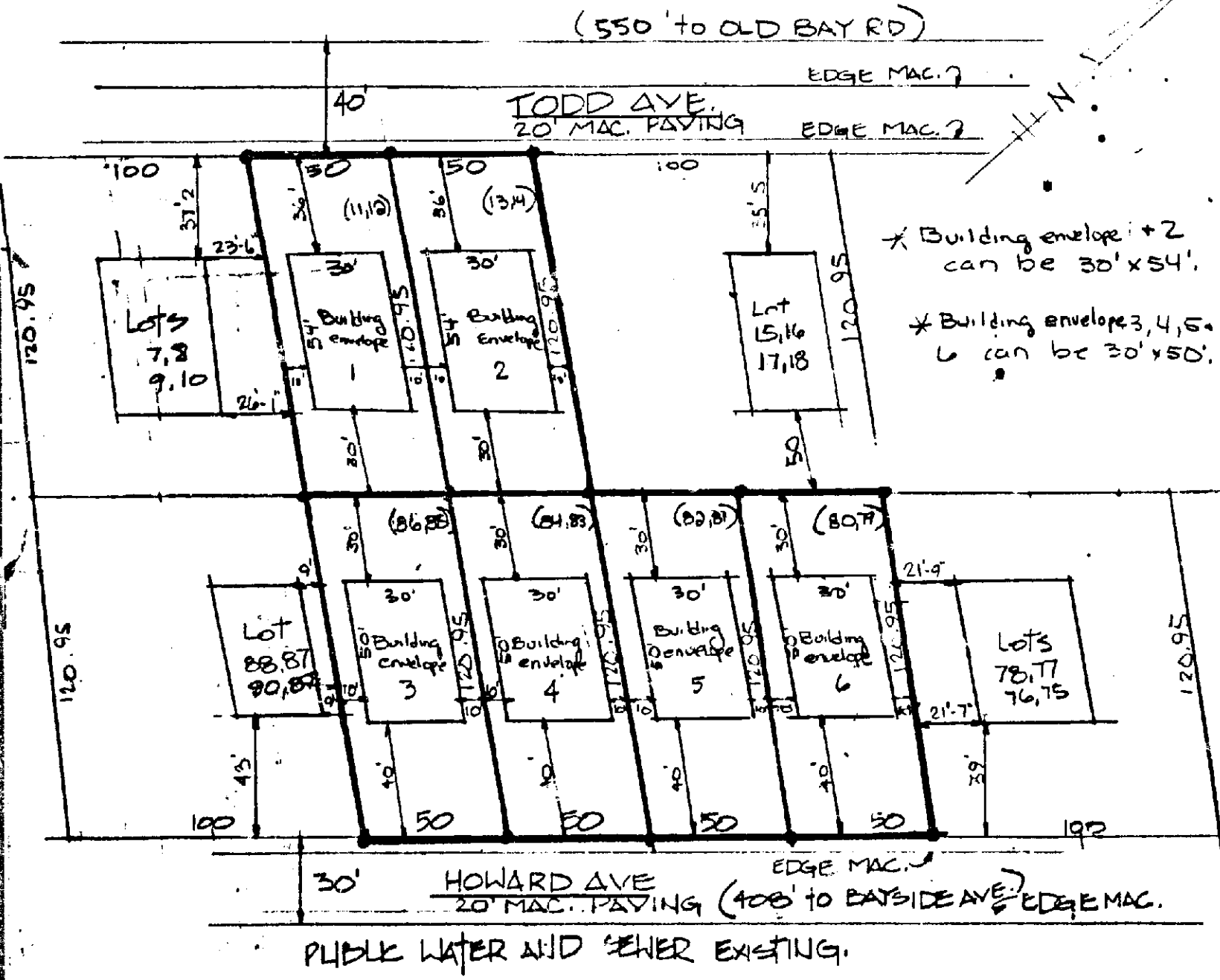
2. Reconstruction of residential dwelling units shall be governed by Sections 103.0 or 123.0 as applicable, except that rebuilding of residential dwelling units damaged in excess of 50 percent of physical value shall also be governed by the provisions of Subsection 516.1 of this Section.

3. Reconstruction of other than residential buildings or structures in the riverine areas shall be made to conform to 516.1 when damage exceeds 50 percent of physical value.

April 1985



VICINITY MAP



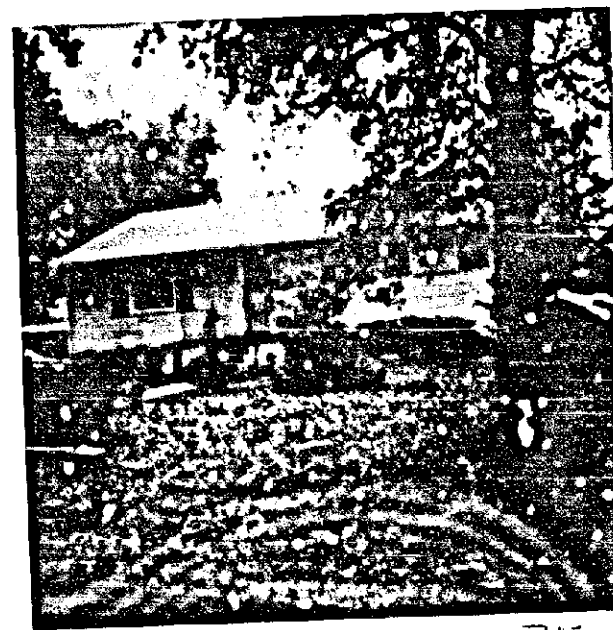
PLAT FOR ZONING VARIANCE
OWNER - MR & MRS. FRED A. SURGUY
DISTRICT - 15 ZONED D.R. 55
SUBDIVISION - NORTH POINT
TERRACE (SECTION B)
WPC #6/155
SCALE 1" = 50'

202

BY: NICOLE F. SEYMANK



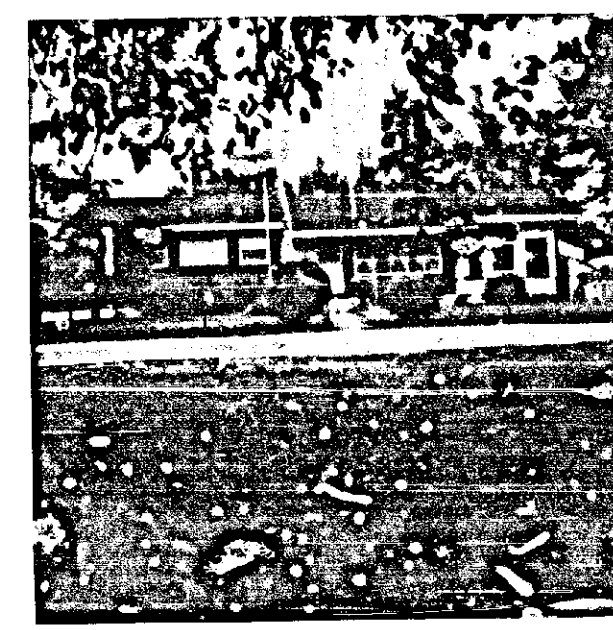
Lot 78, 77, 76, 75 100 x 100



Lot 11, 12, 13, 14 100 x 100



Lot 17, 18 100 x 100



Lot 7, 8, 9, 10 100 x 100



Lot 15, 16 50 x 100

MAP 4A
E.D. 15
DATE 12-11-85
200 ✓
1000 ✓
DP ✓

86-324-A
Della A. Surguy,
S/S of Todd Ave., W/S of Howard Ave.,
550' and 450' respectively, S of Old
Bay Rd.
15th Election District

202
86-324-A
PETITION FOR ZONING VARIANCE
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1902.3C.1 to permit lot widths of 50' in lieu of the required 55'

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

These lots have been owned by one owner for a number of years and are described as separate lots on the deed. It would be an unreasonable hardship if we are forced to combine lots. Since they were owned by us for so long, good faith dictates that we should be allowed to develop these lots separately. We did not just recently purchase these lots. Because they have been owned by us for so long and we are elderly we need the additional income that the sale of said lots will generate. In addition, there are other 50' lots in the area. Properly is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

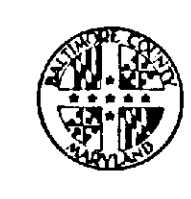
I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: Legal Owner(s):
(Type or Print Name) Della A. Surguy
Signature Della A. Surguy
Address 444 West E. Street
(Type or Print Name)
City and State August 7, Surguy
Attorney for Petitioner: J. Howard
(Type or Print Name) 444 West E. Street
Signature J. Howard
City and State 21201
Name, address and phone number of leg. owner, contract purchaser or representative to be contacted
Address Della A. Surguy
City and State August 7, Surguy
Attorney's Telephone No.: J. Howard
Address 444 West E. Street
Phone No. 21201

ORDERED By The Zoning Commissioner of Baltimore County, this 21st day of January, 1986, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 25th day of February, 1986, at 10:15 o'clock.

(over)

MAP SE-91
4A
E.D. 15
DATE 12-11-85
200 ✓
1000 ✓
DP ✓



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JARLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

March 3, 1986

Ms. Della A. Surguy
9228 Todd Avenue
Fort Howard, MD 21052

RE: PETITION FOR VARIANCE
E/S of Todd Ave., W/S of
Howard Ave., 550' and 450',
respectively S of Old Bay Rd.
15th Election District
Della A. Surguy, et ux,
Petitioners
Case No. 86-324-A

Dear Ms. Surguy:

I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,

Jean M. H. Jung
Deputy Zoning Commissioner

JMHJ:bg

Attachments

cc: People's Counsel

Mr. Stoney Fraley
Department of State Planning
301 West Preston Street
Baltimore, MD 21201

IN RE: PETITION FOR VARIANCE
E/S of Todd Ave., W/S of
Howard Ave., 550' and 450',
respectively S of Old Bay Rd.
15th Election District
Della A. Surguy, et ux,
Petitioners
Case No. 86-324-A

The Petitioners herein request variances to permit lot widths of 50 feet in lieu of the required 55 feet.

Testimony by the Petitioner indicated that the family originally owned six 50-foot lots on the north side of Howard Avenue and six 50-foot lots on the south side of Todd Avenue across the street from the Petitioner's residence. Six of the lots were sold a number of years ago. At this time, the Petitioner proposes to provide the two lots on Todd Avenue to two grandchildren for the construction of dwellings and, at the same time, obtain variances for the lots on Howard Avenue so that, in the future, she can sell them as four separate building lots. There were no Protestants.

The Petitioner stipulated that the Deputy Zoning Commissioner could visit the site and the general neighborhood. The site visit revealed that, while some dwellings in the immediate neighborhood have utilized 100-foot lots, the majority are placed on 50-foot lots.

Pursuant to the advertisement, posting of property, and public hearing on the petition; it appearing that strict compliance with the Baltimore County Zoning Regulations (BCZR) would result in practical difficulty and unreasonable hardship upon the Petitioners; Baltimore County having reviewed the application involving property located in the Maryland Chesapeake Bay Critical Areas and having determined that it is consistent with the requirements of the State of Maryland to minimize adverse impacts on water quality and fish, wildlife, and plant habitat; and the granting of the requested variances not adversely affect-

86-324-A
March 3, 1986
JMHJ:bg

ing the health, safety, and general welfare of the community, the variances should be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 3rd day of March, 1986, that the herein Petition for Variance to permit lot widths of 50 feet in lieu of the required 55 feet is hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

- Compliance with the following mitigative practices designed to minimize adverse impacts on water quality and fish, wildlife, and plant habitat in the Maryland Chesapeake Bay Critical Area:
 - Plant and maintain no less than one (1) major deciduous or two (2) conifers or four (4) minor deciduous trees, based on an area suitable for tree planting of 600 square feet.
 - No rain water runoff shall be discharged directly into Shallow Creek. It shall, instead, be directed overland so as to encourage infiltration.

Jean M. H. Jung
Deputy Zoning Commissioner
of Baltimore County

JMHJ:bg

Located on the east side of Todd Ave. and the west side of Howard Avenue approximately 550' and 450', respectively south of Old Bay Road and known as lots 11-14 and 79-86 as shown on the Plat of Steelton Development Company which is recorded in land records of Baltimore County in Liber 6 folio 155.

PETITION FOR ZONING VARIANCES
15th Election District

LOCATION: East Side of Todd Avenue, West Side of Howard Avenue, 550 feet and 450 feet respectively South of Old Bay Road
DATE AND TIME: Tuesday, February 25, 1986, at 10:15 a.m.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Zoning Variances to permit lot widths of 50 feet in lieu of the required 55 feet regarding Lots 11-14 and 79-86.

Being the property of Della A. Surguy, et ux, as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JARLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

RE: PETITION FOR VARIANCES : BEFORE THE ZONING COMMISSIONER
E/S of Todd Ave., W/S : OF BALTIMORE COUNTY
of Howard Ave., 550' & 450' :
respectively S of Old Bay :
Rd., 15th District :
Della A. Surguy, et ux, : Case No. 86-324-A
Petitioner

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Room 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 31st day of January, 1986, a copy of the foregoing Entry of Appearance was mailed to Charles J. Novak, Jr., Esquire, 113 E. 25th St., Baltimore, MD 21218, Attorney for Petitioners.

Peter Max Zimmerman
Peter Max Zimmerman

ORDER RECEIVED FOR FILING
DATE March 3, 1986
BY Robert G. Ellis
ADMINISTRATIVE ASSISTANT

OFFICE COPY

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would/would not result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will/will not adversely affect the health, safety, and general welfare of the community, the variance(s) should /should not be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the herein Petition for Variance(s) to permit



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

February 18, 1986

Mrs. Della A. Surguy
Mr. August F. Surguy
9228 Todd Avenue
Ft. Howard, Maryland 21052

Re: Petition for Zoning Variances
E/S of Todd Ave., W/S of Howard Ave., 550' and 450'
respectively S of Old Bay Rd.
15th Election District
Della A. Surguy, et ux - Petitioners
Case No. 86-324-A

Dear Mr. and Mrs. Surguy:

This is to advise you that \$83.55 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by this office until the day of the hearing itself.

Please make the check payable to Baltimore County, Maryland, and remit building, Towson, Maryland

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT		No. 018509
DATE 2/25/86	ACCOUNT B-01-615-000	
AMOUNT \$ 93.55		
RECEIVED FROM August F. and Della Surguy		
FOR Advertising & Posting to Case 86-324-A		
P 8634*****324513 02214		
VALIDATION OR SIGNATURE OF CASHIER		

Mrs. Della A. Surguy
Mr. August F. Surguy
9228 Todd Avenue
Ft. Howard, Maryland 21052

January 24, 1986

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCES
E/S of Todd Ave., W/S of Howard Ave., 550' and 450'
respectively S of Old Bay Rd.
15th Election District
Della A. Surguy, et ux - Petitioners
Case No. 86-324-A

TIME: 10:15 a.m.

DATE: Tuesday, February 25, 1986

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT		No. 012379
DATE 1/22/86	ACCOUNT R-01-615-000	
AMOUNT \$ 35.00		
RECEIVED FROM King Joe for Rent #200		
P 8636*****3008342644		
VALIDATION OR SIGNATURE OF CASHIER		

CHARLES J. NOVAK, JR.
ATTORNEY AT LAW
113 E. 25th STREET
BALTIMORE, MD. 21218

February 5, 1986

Mr. Arnold Jablon
Zoning Commissioner
111 E. Chesapeake Avenue
Towson, Maryland 21204

Re: Petition for Variances
by Della A. Surguy, et ux
Case No. 86-324-A

Dear Sir:

I today received the enclosed "Entry of Appearance", which was addressed to me as "Attorney for Petitioners". I am not the attorney for the Petitioners, and my appearance as such was somehow entered in error and without my permission.

Please strike my appearance as Attorney for Petitioners in said matter.

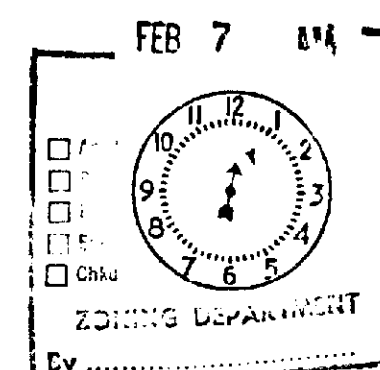
Yours very truly,

Charles J. Novak, Jr.
Charles J. Novak, Jr.

CJN:rcjh

Enclosure

cc: Mrs. Della A. Surguy



CERTIFICATE OF PUBLICATION

TOWSON, MD., February 6, 1986

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on February 6, 1986.

THE JEFFERSONIAN,

Publisher

Cost of Advertising

24.75

PETITION FOR ZONING VARIANCES
15th Election District
LOCATION: East Side of Todd Avenue, West Side of Howard Avenue, 550 feet and 450 feet respectively South of Old Bay Road
DATE AND TIME: Tuesday, February 25, 1986, at 10:15 a.m.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the petition for zoning variances to permit the widening of 50 feet in the required 55 feet regarding Lots 11-14 and 75-86.
Being the property of Della A. Surguy, et ux, as shown on plat filed with the Zoning Office.
In the event that this Petitioner is granted, a building permit may be issued within the time of the appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during the period for good cause shown. Such request must be received in writing by the date of the hearing as above or made at the hearing.
By Order of:
ARNOLD JABLON,
Zoning Commissioner
of Baltimore County
Feb. 6

86-324-A

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 15th Date of Posting: 2/11/86
Posted to: Various
Petitioner: Della A. Surguy, et ux
Location of property: E/S Todd Ave., W/S Howard Ave., 550' & 450' respectively S of Old Bay Rd., 15th Election District
Location of Signs: Signs were posted on site of property at Howard Ave. & Todd Ave. on the two lots on both. The signs were removed and signs found on corner.
Remarks: Signs were posted on site of property at Howard Ave. & Todd Ave. on the two lots on both. The signs were removed and signs found on corner.
Posted by: [Signature] Date of return: 2/11/86
Number of Signs: 6

RE: PETITION FOR VARIANCES : BEFORE THE ZONING COMMISSIONER
E/S of Todd Ave., W/S : OF BALTIMORE COUNTY
of Howard Ave., 550' & 450' :
respectively S of Old Bay :
Rd., 15th District :
DELLA A. SURGUY, et ux : Case No. 86-324-A
Petitioner :
: : : : :
: : : : :

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Deputy People's Counsel
Room 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 31st day of January, 1986, a copy of the foregoing Entry of Appearance was mailed to Charles J. Novak, Jr., Esquire, 113 E. 25th St., Baltimore, MD 21218, Attorney for Petitioners.

Peter Max Zimmerman

CERTIFICATE OF PUBLICATION

OFFICE OF
Dundalk Eagle

38 N. Dundalk Ave.
Dundalk, Md. 21222 February 12, 1986

THIS IS TO CERTIFY, that the annexed advertisement of Arnold Jablon in the matter of P.O. #73308 - Req. #1, 87453 - 72 lines @ \$28.80, was inserted in The Dundalk Eagle a weekly newspaper published in Baltimore County, Maryland, once a week for one successive weeks before the 7th day of February 1986; that is to say, the same was inserted in the issues of Feb. 6, 1986

Kimbel Publication, Inc.
per Publisher.

By K.E. Oller

PETITION FOR ZONING VARIANCES
15th Election District
LOCATION: East Side of Todd Avenue, West Side of Howard Avenue, 550 feet and 450 feet respectively South of Old Bay Road
DATE AND TIME: Tuesday, February 25, 1986, at 10:15 a.m.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the petition for zoning variances to permit the widening of 50 feet in the required 55 feet regarding Lots 11-14 and 75-86.
Being the property of Della A. Surguy, et ux, as shown on plat filed with the Zoning Office.
In the event that this Petitioner is granted, a building permit may be issued within the time of the appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during the period for good cause shown. Such request must be received in writing by the date of the hearing as above or made at the hearing.
By Order of:
ARNOLD JABLON,
Zoning Commissioner
of Baltimore County
Feb. 6

86-324-A

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner Date: February 10, 1986
FROM: Norman E. Gerber, AICP, Director of Planning and Zoning
SUBJECT: Chesapeake Critical Area Review - Raymond Porter, et ux (86-307-A); The Owl Corp. (86-307-A); B.W. Pierce, Jr., et ux (86-304-A); A.F. Surguy, et ux (86-324-A); and H. Horney (86-312-A)

In regard to the Porter, et ux and the Owl Corp., it has been determined that these two petitions are consistent with the requirements of Critical Area statute without the need of mitigative or other management practices.

The H. Horney petition involves a wooded site with a number of specimen trees. This petition will be deemed to meet the requirements of the Critical Area statute, if as many trees as possible are conserved, this would require a simple plan showing the existing trees and indicating which ones are to be retained. In addition, a plan to protect the trees during construction is necessary. As a minimum, each lot should contain four major deciduous trees or eight conifers or 16 minor deciduous trees. Existing trees that are retained on-site can be utilized toward meeting this requirement. This tree allocation is based on 2,400 feet of area suitable for tree planting. At the petitioner's discretion, any mix or combination of plantings would be appropriate based on the formula of one major deciduous or two conifers or four minor deciduous trees for every 600 square feet of area.

The petitions of B. W. Pierce, Jr. and A. F. Surguy, et ux involve lots which are predominately or entirely clear of trees. With regard to the B. W. Pierce, Jr. petition, it has been determined that a combination of six large deciduous or 12 conifers or 24 small deciduous trees be planted based on an area of 3,600 square feet suitable for tree planting.

In regard to the A. F. Surguy petition, it is recommended, based on area suitable for tree planting of 600 square feet, that one major deciduous or two conifers or four minor deciduous trees be planted on each lot.

In regard to the H. Horney, B. W. Pierce, Jr., et ux and Surguy, et ux, petitions, it is recommended that infiltration from the lots' impervious surfaces be maximized by directing such runoff over the largest permeable area possible toward a suitable offsite location. This is greatly preferred as compared to outletting runoff directly onto walks, driveways or streets.

NEG/PJS/st

cc: Mr. Tom Vidmar, Bureau of Engineering
People's Counsel
Ms. Jean M. H. Jung
Mr. J. Hoswell
Ms. Andrea J. Van Arsdale

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon
Zoning Commissioner
Date: February 13, 1986

FROM: Norman E. Gerber, AICP, Director
Office of Planning and Zoning

SUBJECT: Zoning Petitions No. 86-304-A, 86-314-A and 86-324-A

Please consider the Chesapeake Critical Area Review comments (see memo dated 2/10/86, Gerber to Jablon) to be the comments of this office.

Norman E. Gerber
Norman E. Gerber, AICP
Director

NEG:JCH:slm

Case No. 86-324-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this
21st day of January, 1986.

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

Petitioner August F. Surguy, et ux
Petitioner's Attorney

Received by: *James E. Dyer*
Chairman, Zoning Plans
Advisory Committee



BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS
DIRECTOR

January 7, 1986

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. -ZAC- Meeting of November 3, 1985
Property Owner:
Location:
Existing Zoning:
Proposed Zoning:

Acre:
District:

Dear Mr. Jablon:

The department of Traffic Engineering has no comments for items number 190, 191, 192, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, and 206.

MEF/bld

2/25
86-324-A

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

January 29, 1986

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Mr. and Mrs. August F. Surguy
9228 Todd Avenue
Fort Howard, Maryland 21052

RE: Item No. 202 - Case No. 86-324-A
Petitioners - August F. Surguy, et ux
Variance Petition

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Dear Mr. and Mrs. Surguy:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

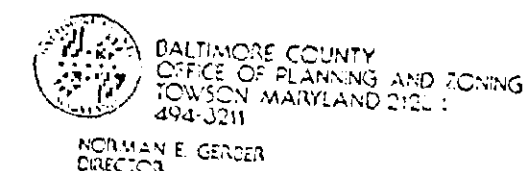
Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:nr

Enclosures



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
494-3550

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

JANUARY 28, 1986
(CRITICAL AREA)

RE: Zoning Advisory Meeting of DECEMBER 3, 1985
Item # 202
Property Owner: AUGUST F. SURGUY, ET UX
Location: E/S 4 W/S TODD AVE. & HOWARD AVE.
550' & 450' RESPECTIVELY S. OF OLD BAY RD.

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are:

- ☒ There are no site planning factors requiring comment.
- ☒ A County Review Group meeting is required.
- ☒ A County Review Group meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- ☒ This site is part of a larger tract to be subdivided.
- ☒ The plan must show the entire tract.
- ☒ A record plat will be required and must be recorded prior to issuance of a building permit.
- ☒ The access is not satisfactory.
- ☒ The circulation on this site is not satisfactory.
- ☒ The parking arrangement is not satisfactory.
- ☒ Parking calculations must be shown on the plan.
- ☒ This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- ☒ Construction in or alteration of the floodplain is prohibited under the provisions of Section 26-28 of the Development Regulations.
- ☒ Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- ☒ The amended Development Plan was approved by the Planning Board on _____.
- ☒ Landscaping: Must comply with Baltimore County Landscape Manual, Bill 177-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is _____.
- ☒ The property is located in a traffic area controlled by a top level intersection as defined by Bill 173-79, and as conditions change the re-evaluation shall be made by the County Council.
- ☒ THE SITE IS LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA. ADDITIONAL COMMENTS WILL BE PROVIDED BY THE COMPREHENSIVE PLANNING DIVISION.

cc: James Howell

Norman A. Boser
Chief, Current Planning and Development



BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2566
474-4500

PAUL H. RENCKE
CHIEF

Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Comandari, Chairman
Zoning Plans Advisory Committee

December 17, 1985

RE: Property Owner: August F. Surguy, et ux (critical area)

Location: ES & WS Todd Avenue and Howard Avenue, 550' and 450' respectively
S of Old Bay Road
Item No.: 202 Zoning Agenda: Meeting of December 3, 1985

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- (X) 1. Fire hydrants for the referenced property are required and shall be located at intervals of 750 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

- () 2. A second means of vehicular access is required for the site.

- () 3. The vehicle dead end condition shown at _____

EXCEEDS the maximum allowed by the Fire Department.

- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

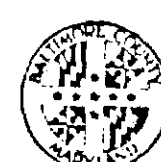
- () 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.

- () 6. Site plans are approved, as drawn.

- () 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *John F. O'Reilly*
Planning Group
Special Inspection Division

/mb



BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3610

TED ZALESKI, JR.
DIRECTOR

December 23, 1985

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 202 Zoning Advisory Committee Meeting are as follows:

Property Owner: August F. Surguy, Et ux (Critical Area)
Location: E/S and W/S Todd Avenue and Howard Avenue, 550' and 450' respectively
District: 15th. S of Old Bay Road

APPLICABLE ITEMS ARE CHECKED:

- ☒ All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Handicapped and Aged (A.M.S.C. 11-1-1 - 1980) and other applicable Codes and Standards.
- ☒ A building and other miscellaneous permits shall be required before the start of any construction.
- ☒ Residential: Two sets of construction drawings are required to file a permit application. Reproduced seals are not acceptable.
- ☒ Commercial: Three sets of construction drawings are required to file a permit application. Reproduced seals are not acceptable.
- ☒ All Use Groups except B-1 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0" to an interior lot line. B-1 Use Groups require a one hour wall if closer than 3'-0" to an interior lot line. Any wall built on an interior lot line shall require a fire or party exterior wall within 3'-0" of an interior lot line.
- ☒ The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 505 and 506 and have your Architect/Engineer contact this department.
- ☒ The requested variance appears to conflict with Section(s) _____ of the Baltimore County Building Code.
- ☒ When filing for a required Change of Use/Grouping Permit, an alternative permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or Engineer seals are usually required. The Change of Use Groups are from the _____ to the _____ or to _____ See Section 312 of the Building Code.

NOTE:

- ☒ The proposed project appears to be located in a Flood Plain, Tidal/Riverine. Please see the attached copy of Section 116.1 of the Building Code as adopted by Bill #11-85. Site plans shall show the correct elevations above sea level for the lot and the finished floor levels including basement.
- ☒ Comments: Show finished floor elevations including basement, if there are any as required by Section 516.0.

2. These abbreviated comments refer only to the information provided by the drawings submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired, the applicant may obtain additional information by visiting Room 210 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

By: C. E. Burman, Chief
Building Plans Section

SPECIAL NOTES FOR CONSTRUCTION IN TIDAL RIVERINE AREAS BILL #17-85 BALTIMORE COUNTY BUILDING CODE 1984 EFFECTIVE - APRIL 22, 1985

SECTION 516.0 A Section added to read as follows:

SECTION 516.0 CONSTRUCTION IN AREAS SUBJECT TO FLOODING

516.1 AREAS SUBJECT TO INUNDATION BY TIDEWATERS:

1. Whenever building or additions are constructed in areas subject to inundation by tides/waters, the building's lowest floor (including basement) shall be not lower than one (1) foot above the 100-year flood elevation, as established by the U.S. Army Corps of Engineers or the Federal Flood Insurance Study, whichever is more restrictive. These buildings or additions shall be designed and adequately anchored to prevent flotation, collapse, or lateral movement of the structure with materials resistant to flood damage.

Areas beneath buildings will not be considered as basements if headroom to underside of floor joists is less than six feet or if enclosure walls are at least 50 percent open.

2. Crawl spaces under buildings constructed in the tidal plain, as determined by the U.S. Army Corps of Engineers or the Federal Flood Insurance Study, whichever is the more restrictive, shall be constructed so that water will pass through without resulting debris causing damage to the improvements of any property.

3. New or replacement utility systems, including but not limited to water supply, sanitary sewage, electric, gas and oil, must be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters, and require on-site waste disposal systems to be located so as to avoid impairment of them or contamination from them during flooding.

516.2 RIVERINE AREAS SUBJECT TO INUNDATION BY SURFACE WATERS WITHIN THE 100 YEAR FLOOD PLAIN.

1. No structures or additions shall be within the 100-year flood plain of any watercourse. The 100-year flood plain shall be based upon the Federal Flood Insurance Study or the Department of Public Works, whichever is the more restrictive. This determination shall include planned future development of the watershed area.

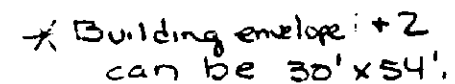
2. Reconstruction of residential dwelling units shall be governed by Sections 103.0 or 123.0 as applicable, except that rebuilding of residential dwelling units damaged in excess of 50 percent of physical value shall also be governed by the provisions of Subsection 516.1 of this Section.

3. Reconstruction of other than residential buildings or structures in the riverine areas shall be made to conform to 516.1 when damage exceeds 50 percent of physical value.

April 1985

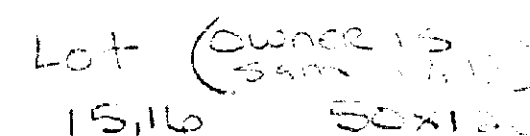
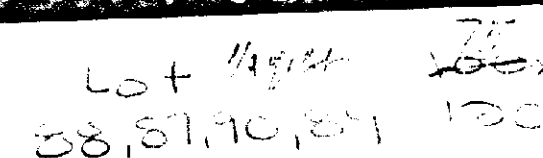
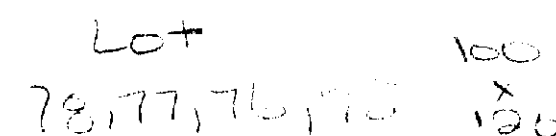


(550' to OLD BAY RD)



* Building envelope 3, 4, 5.
L can be 30' x 50'.

PLAT FOR ZONING VARIANCE
OWNER - MR. & MRS. FRED A. SURGUY
DISTRICT - 15 ZONED D.R. 35
SUBDIVISION - NORTH POINT
TERRACE (SECTION B)
WPC # 6/155
SCALE 1" = 50'

BY: Nicolai E. SZYMANSKI

MAP 4A
E.D. 15
DATE 12-11-86
200 ✓
1000 ✓
DP

86-324-A
Della A. Surguy,
S/S of Todd Ave., W/S of Howard Ave.,
550' and 450' respectively, S of Old
Bay Rd.
15th Election District

202 86-324-A **PETITION FOR ZONING VARIANCE** TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1902.3C.1 to permit lot widths of 50' in lieu of the required 55'

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

These lots have been owned by one owner for a number of years and are described as separate lots on the deed. It would be an unreasonable hardship if we are forced to combine lots. Since they were owned by us for so long, good faith dictates that we should be allowed to develop these lots separately. We did not just recently purchase these lots. Because they have been owned by us for so long and we are elderly we need the additional income that the sale of said lots will generate. In addition, there are other 50' lots in the area. Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

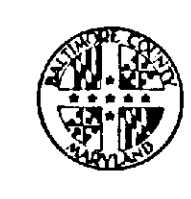
Contract Purchaser: Legal Owner(s):
(Type or Print Name) Della A. Surguy
Signature Della A. Surguy
Address 444 West E. Street
(Type or Print Name)
City and State Baltimore, MD
Signature
Attorney for Petitioner: Charles J. Novak
(Type or Print Name) 117-1727
Address 9228 Todd Ave
City and State Baltimore
Signature
Name, address and phone number of leg. owner, contract purchaser or representative to be contacted
City and State
Attorney's Telephone No.: 410-551-1727
Address 9228 Todd Ave
City and State Baltimore
Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 21st day of January, 1986, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 25th day of February, 1986, at 10:15 o'clock.

Arnold Jarlon
Zoning Commissioner of Baltimore County.

(over)

MAP SE-91
4A
E.D. 15
DATE 12-11-86
200 ✓
1000 ✓
DP



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JARLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

March 3, 1986

Ms. Della A. Surguy
9228 Todd Avenue
Fort Howard, MD 21052

RE: PETITION FOR VARIANCE
E/S of Todd Ave., W/S of
Howard Ave., 550' and 450'
respectively S of Old Bay Rd.
15th Election District
Della A. Surguy, et ux,
Petitioners
Case No. 86-324-A

Dear Ms. Surguy:

I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,

Jean M. H. Jung
JEAN M. H. JUNG
Deputy Zoning Commissioner

JMHJ:bg

Attachments

cc: People's Counsel

Mr. Stoney Fraley
Department of State Planning
301 West Preston Street
Baltimore, MD 21201

IN RE: PETITION FOR VARIANCE
E/S of Todd Ave., W/S of
Howard Ave., 550' and 450'
respectively S of Old Bay Rd.
15th Election District
Della A. Surguy, et ux,
Petitioners
Case No. 86-324-A

The Petitioners herein request variances to permit lot widths of 50 feet in lieu of the required 55 feet.

Testimony by the Petitioner indicated that the family originally owned six 50-foot lots on the north side of Howard Avenue and six 50-foot lots on the south side of Todd Avenue across the street from the Petitioner's residence. Six of the lots were sold a number of years ago. At this time, the Petitioner proposes to provide the two lots on Todd Avenue to two grandchildren for the construction of dwellings and, at the same time, obtain variances for the lots on Howard Avenue so that, in the future, she can sell them as four separate building lots. There were no Protestants.

The Petitioner stipulated that the Deputy Zoning Commissioner could visit the site and the general neighborhood. The site visit revealed that, while some dwellings in the immediate neighborhood have utilized 100-foot lots, the majority are placed on 50-foot lots.

Pursuant to the advertisement, posting of property, and public hearing on the petition; it appearing that strict compliance with the Baltimore County Zoning Regulations (BCZR) would result in practical difficulty and unreasonable hardship upon the Petitioners; Baltimore County having reviewed the application involving property located in the Maryland Chesapeake Bay Critical Areas and having determined that it is consistent with the requirements of the State of Maryland to minimize adverse impacts on water quality and fish, wildlife, and plant habitat; and the granting of the requested variances not adversely affect-

86-324-A
March 3, 1986
JMHJ:bg

ing the health, safety, and general welfare of the community, the variances should be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 3rd day of March, 1986, that the herein Petition for Variance to permit lot widths of 50 feet in lieu of the required 55 feet is hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

- Compliance with the following mitigative practices designed to minimize adverse impacts on water quality and fish, wildlife, and plant habitat in the Maryland Chesapeake Bay Critical Area:
 - Plant and maintain no less than one (1) major deciduous or two (2) conifers or four (4) minor deciduous trees, based on an area suitable for tree planting of 600 square feet.
 - No rain water runoff shall be discharged directly into Shallow Creek. It shall, instead, be directed overland so as to encourage infiltration.

Jean M. H. Jung
Deputy Zoning Commissioner
of Baltimore County

JMHJ:bg

Located on the east side of Todd Ave. and the west side of Howard Avenue approximately 550' and 450', respectively south of Old Bay Road and known as lots 11-14 and 79-86 as shown on the Plat of Steelton Development Company which is recorded in land records of Baltimore County in Liber 6 folio 155.

PETITION FOR ZONING VARIANCES 15th Election District

LOCATION: East Side of Todd Avenue, West Side of Howard Avenue, 550 feet and 450 feet respectively South of Old Bay Road
DATE AND TIME: Tuesday, February 25, 1986, at 10:15 a.m.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Zoning Variances to permit lot widths of 50 feet in lieu of the required 55 feet regarding Lots 11-14 and 79-86.

Being the property of Della A. Surguy, et ux, as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JARLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

RE: PETITION FOR VARIANCES : BEFORE THE ZONING COMMISSIONER
E/S of Todd Ave., W/S : OF BALTIMORE COUNTY
of Howard Ave., 550' & 450' :
respectively S of Old Bay :
Rd., 15th District :
Della A. SURGUY, et ux, : Case No. 86-324-A
Petitioner

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Room 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 31st day of January, 1986, a copy of the foregoing Entry of Appearance was mailed to Charles J. Novak, Jr., Esquire, 113 E. 25th St., Baltimore, MD 21218, Attorney for Petitioners.

Peter Max Zimmerman
Peter Max Zimmerman

ORDER RECEIVED FOR FILING
DATE March 3, 1986
BY Robert G. Ellis
ADMINISTRATIVE ASSISTANT

OFFICE COPY

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would/would not result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will/will not adversely affect the health, safety, and general welfare of the community, the variance(s) should /should not be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the herein Petition for Variance(s) to permit



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

February 18, 1986

Mrs. Della A. Surguy
Mr. August F. Surguy
9228 Todd Avenue
Ft. Howard, Maryland 21052

Re: Petition for Zoning Variances
E/S of Todd Ave., W/S of Howard Ave., 550' and 450'
respectively S of Old Bay Rd.
15th Election District
Della A. Surguy, et ux - Petitioners
Case No. 86-324-A

Dear Mr. and Mrs. Surguy:

This is to advise you that \$83.55 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by this office until the day of the hearing itself.

Please make the check payable to Baltimore County, Maryland, and remit building, Towson, Maryland

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT		No. 018509
DATE 2/25/86	ACCOUNT B-01-615-000	
AMOUNT \$ 93.55		
RECEIVED FROM August F. and Della Surguy		
FOR Advertising & Posting to Case 86-324-A		
P 8634*****324513 02214		
VALIDATION OR SIGNATURE OF CASHIER		

Mrs. Della A. Surguy
Mr. August F. Surguy
9228 Todd Avenue
Ft. Howard, Maryland 21052

January 24, 1986

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCES
E/S of Todd Ave., W/S of Howard Ave., 550' and 450'
respectively S of Old Bay Rd.
15th Election District
Della A. Surguy, et ux - Petitioners
Case No. 86-324-A

TIME: 10:15 a.m.

DATE: Tuesday, February 25, 1986

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT		No. 012379
DATE 1/22/86	ACCOUNT R-01-615-000	
AMOUNT \$ 35.00		
RECEIVED FROM King Joe for Rent #200		
P 8636*****3008342644		
VALIDATION OR SIGNATURE OF CASHIER		

CHARLES J. NOVAK, JR.
ATTORNEY AT LAW
113 E. 25th STREET
BALTIMORE, MD. 21218

February 5, 1986

Mr. Arnold Jablon
Zoning Commissioner
111 E. Chesapeake Avenue
Towson, Maryland 21204

Re: Petition for Variances
by Della A. Surguy, et ux
Case No. 86-324-A

Dear Sir:

I today received the enclosed "Entry of Appearance", which was addressed to me as "Attorney for Petitioners". I am not the attorney for the Petitioners, and my appearance as such was somehow entered in error and without my permission.

Please strike my appearance as Attorney for Petitioners in said matter.

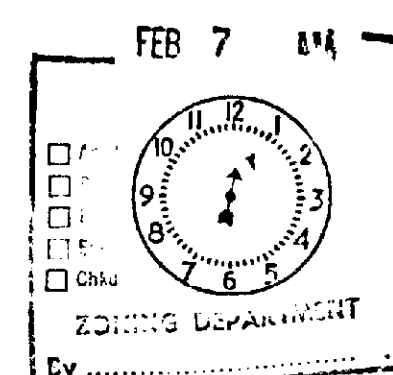
Yours very truly,

Charles J. Novak, Jr.
Charles J. Novak, Jr.

CJN:rcjh

Enclosure

cc: Mrs. Della A. Surguy



CERTIFICATE OF PUBLICATION

TOWSON, MD., February 6, 1986

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on February 6, 1986.

THE JEFFERSONIAN,

13 Kenton

Publisher

Cost of Advertising

24.75

PETITION FOR ZONING VARIANCES
15th Election District
LOCATION: East Side of Todd Avenue, West Side of Howard Avenue, 550 feet and 450 feet respectively South of Old Bay Road
DATE AND TIME: Tuesday, February 25, 1986, at 10:15 a.m.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the petition for zoning variances to permit the widening of 50 feet in the required 55 feet regarding Lots 11-14 and 75-86.
Being the property of Della A. Surguy, et ux, as shown on plat filed with the Zoning Office.
In the event that the Petitioner is granted, a building permit may be issued within the time of the appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during the period for good cause shown. Such request must be received in writing by the date of the hearing as above or made at the hearing.
By Order of:
ARNOLD JABLON,
Zoning Commissioner
of Baltimore County
Feb. 6

86-324-A

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 15th Date of Posting: 2/11/86
Posted to: Various
Petitioner: Della A. Surguy, et ux
Location of property: E/S of Todd Ave., W/S of Howard Ave., 550' & 450' respectively S of Old Bay Rd., 15th Election District
Location of Signs: Signs were posted on each side of the intersection of Todd Ave. and Howard Ave. at the intersection of the two lots on both sides of the intersection and signs were posted on the intersection of Todd Ave. and Howard Ave. at the intersection of the two lots on both sides of the intersection.
Remarks: Signs were posted on each side of the intersection of Todd Ave. and Howard Ave. at the intersection of the two lots on both sides of the intersection.
Posted by: [Signature] Date of return: 2/11/86
Number of Signs: 6

RE: PETITION FOR VARIANCES : BEFORE THE ZONING COMMISSIONER
E/S of Todd Ave., W/S of Howard Ave., 550' & 450' : OF BALTIMORE COUNTY
respectively S of Old Bay Rd., 15th Election District :
DELLA A. SURGUY, et ux : Case No. 86-324-A
Petitioner :
: : : : :
ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Deputy People's Counsel
Room 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 31st day of January, 1986, a copy of the foregoing Entry of Appearance was mailed to Charles J. Novak, Jr., Esquire, 113 E. 25th St., Baltimore, MD 21218, Attorney for Petitioners.

Peter Max Zimmerman

CERTIFICATE OF PUBLICATION

OFFICE OF
Dundalk Eagle

38 N. Dundalk Ave.
Dundalk, Md. 21222 February 12, 1986

THIS IS TO CERTIFY, that the annexed advertisement of Arnold Jablon in the matter of P.O. #73308 - Req. #1, 87453 - 72 lines @ \$28.80, was inserted in The Dundalk Eagle a weekly newspaper published in Baltimore County, Maryland, once a week for one successive weeks before the 7th day of February 1986; that is to say, the same was inserted in the issues of Feb. 6, 1986

Kimbel Publication, Inc.
per Publisher.

By K.E. Oller

PETITION FOR ZONING VARIANCES
15th Election District
LOCATION: East Side of Todd Avenue, West Side of Howard Avenue, 550 feet and 450 feet respectively South of Old Bay Road
DATE AND TIME: Tuesday, February 25, 1986, at 10:15 a.m.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the petition for zoning variances to permit the widening of 50 feet in the required 55 feet regarding Lots 11-14 and 75-86.
Being the property of Della A. Surguy, et ux, as shown on plat filed with the Zoning Office.
In the event that the Petitioner is granted, a building permit may be issued within the time of the appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during the period for good cause shown. Such request must be received in writing by the date of the hearing as above or made at the hearing.
By Order of:
ARNOLD JABLON,
Zoning Commissioner
of Baltimore County
Feb. 6

86-324-A

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner Date: February 10, 1986
Norman E. Gerber, AICP, Director
FROM: Office of Planning and Zoning
Chesapeake Critical Area Review - Raymond Porter, et ux (86-307-A);
SUBJECT: The Owl Corp. (86-307-A); B.W. Pierce, Jr., et ux (86-304-A);
A.F. Surguy, et ux (86-324-A); and H. Horney (86-312-A)

In regard to the Porter, et ux and the Owl Corp., it has been determined that these two petitions are consistent with the requirements of Critical Area statute without the need of mitigative or other management practices.

The H. Horney petition involves a wooded site with a number of specimen trees. This petition will be deemed to meet the requirements of the Critical Area statute, if as many trees as possible are conserved, this would require a simple plan showing the existing trees and indicating which ones are to be retained. In addition, a plan to protect the trees during construction is necessary. As a minimum, each lot should contain four major deciduous trees or eight conifers or 16 minor deciduous trees. Existing trees that are retained on-site can be utilized toward meeting this requirement. This tree allocation is based on 2,400 feet of area suitable for tree planting. At the petitioner's discretion, any mix or combination of plantings would be appropriate based on the formula of one major deciduous or two conifers or four minor deciduous trees for every 600 square feet of area.

The petitions of B. W. Pierce, Jr. and A. F. Surguy, et ux involve lots which are predominately or entirely clear of trees. With regard to the B. W. Pierce, Jr. petition, it has been determined that a combination of six large deciduous or 12 conifers or 24 small deciduous trees be planted based on an area of 3,600 square feet suitable for tree planting.

In regard to the A. F. Surguy petition, it is recommended, based on area suitable for tree planting of 600 square feet, that one major deciduous or two conifers or four minor deciduous trees be planted on each lot.

In regard to the H. Horney, B. W. Pierce, Jr., et ux and Surguy, et ux, petitions, it is recommended that infiltration from the lots' impervious surfaces be maximized by directing such runoff over the largest permeable area possible toward a suitable offsite location. This is greatly preferred as compared to outletting runoff directly onto walks, driveways or streets.

NEG/PJS/st

cc: Mr. Tom Vidmar, Bureau of Engineering
People's Counsel
Ms. Jean M. H. Jung
Mr. J. Hoswell
Ms. Andrea J. Van Arsdale

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon
Zoning Commissioner
Date: February 13, 1986

FROM: Norman E. Gerber, AICP, Director
Office of Planning and Zoning

SUBJECT: Zoning Petitions No. 86-304-A, 86-314-A and 86-324-A

Please consider the Chesapeake Critical Area Review comments (see memo dated 2/10/86, Gerber to Jablon) to be the comments of this office.

Norman E. Gerber
Norman E. Gerber, AICP
Director

NEG:JCH:slm

Case No. 86-324-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this
21st day of January, 1986.

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

Petitioner August F. Surguy, et ux
Petitioner's Attorney

Received by: *James E. Dyer*
Chairman, Zoning Plans
Advisory Committee



BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS
DIRECTOR

January 7, 1986

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. -ZAC- Meeting of November 3, 1985
Property Owner:
Location:
Existing Zoning:
Proposed Zoning:

Acres:
District:

Dear Mr. Jablon:

The department of Traffic Engineering has no comments for items number 190, 191, 192, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, and 206.

MEF/bld

2/25
86-324-A

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

January 29, 1986

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Mr. and Mrs. August F. Surguy
9228 Todd Avenue
Fort Howard, Maryland 21052

RE: Item No. 202 - Case No. 86-324-A
Petitioners - August F. Surguy, et ux
Variance Petition

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Dear Mr. and Mrs. Surguy:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

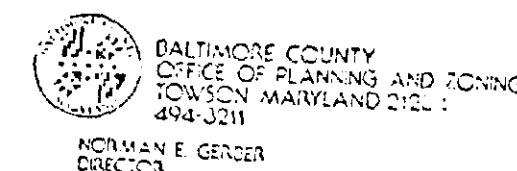
Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:nr

Enclosures



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
494-3550

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

JANUARY 28, 1986
(CRITICAL AREA)

RE: Zoning Advisory Meeting of DECEMBER 3, 1985
Item # 202
Property Owner: AUGUST F. SURGUY, ET UX
Location: E/S 4 W/S TODD AVE. & HOWARD AVE.
550' & 450' RESPECTIVELY S. OF OLD BAY RD.

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are:

- ☒ There are no site planning factors requiring comment.
- ☒ A County Review Group meeting is required.
- ☒ A County Review Group meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- ☒ This site is part of a larger tract to be subdivided.
- ☒ The plan must show the entire tract.
- ☒ A record plat will be required and must be recorded prior to issuance of a building permit.
- ☒ The access is not satisfactory.
- ☒ The circulation on this site is not satisfactory.
- ☒ The parking arrangement is not satisfactory.
- ☒ Parking calculations must be shown on the plan.
- ☒ This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- ☒ Construction in or alteration of the floodplain is prohibited under the provisions of Section 26-28 of the Development Regulations.
- ☒ Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- ☒ The amended Development Plan was approved by the Planning Board on _____.
- ☒ Landscaping: Must comply with Baltimore County Landscape Manual, Bill 177-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is _____.
- ☒ The property is located in a traffic area controlled by a top level intersection as defined by Bill 173-79, and as conditions change the re-evaluation shall be made by the County Council.
- ☒ The site is located in the Chesapeake Bay Critical Area. Additional comments will be provided by the Comprehensive Planning Division.

cc: James Howell

Norman A. Boser
Chief, Current Planning and Development



BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2566
474-4500

PAUL H. RENCKE
CHIEF

Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Comandari, Chairman
Zoning Plans Advisory Committee

December 17, 1985

RE: Property Owner: August F. Surguy, et ux (critical area)

Location: ES & WS Todd Avenue and Howard Avenue, 550' and 450' respectively
S of Old Bay Road
Item No.: 202 Zoning Agenda: Meeting of December 3, 1985

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- (X) 1. Fire hydrants for the referenced property are required and shall be located at intervals of 750 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

- () 2. A second means of vehicular access is required for the site.

- () 3. The vehicle dead end condition shown at _____

EXCEEDS the maximum allowed by the Fire Department.

- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

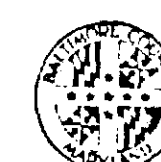
- () 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.

- () 6. Site plans are approved, as drawn.

- () 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *John F. O'Reilly*
Approved: _____
Planning Group
Special Inspection Division

/mb



BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3610

TED ZALESKI, JR.
DIRECTOR

December 23, 1985

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 202 Zoning Advisory Committee Meeting are as follows:

Property Owner: August F. Surguy, Et ux (Critical Area)
Location: E/S and W/S Todd Avenue and Howard Avenue, 550' and 450' respectively
District: 15th. S of Old Bay Road

APPLICABLE ITEMS ARE CHECKED:

- ☒ All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Handicapped and Aged (A.M.S.C. 11-1-1 - 1980) and other applicable Codes and Standards.
- ☒ A building and other miscellaneous permits shall be required before the start of any construction.
- ☒ Residential: Two sets of construction drawings are required to file a permit application. Reproduced seals are not acceptable.
- ☒ Commercial: Three sets of construction drawings are required to file a permit application. Reproduced seals are not acceptable.
- ☒ All Use Groups except B-1 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0" to an interior lot line. B-1 Use Groups require a one hour wall if closer than 3'-0" to an interior lot line. Any wall built on an interior lot line shall require a fire or party exterior wall within 3'-0" of an interior lot line.
- ☒ The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 505 and 506 and have your Architect/Engineer contact this department.
- ☒ The requested variance appears to conflict with Section(s) _____ of the Baltimore County Building Code.
- ☒ When filing for a required Change of Use/Grouping Permit, an alternative permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or Engineer seals are usually required. The Change of Use Groups are from the _____ to the _____ or to _____ See Section 312 of the Building Code.

NOTE:

- ☒ The proposed project appears to be located in a Flood Plain, Tidal/Riverine. Please see the attached copy of Section 116.1 of the Building Code as adopted by Bill #11-85. Site plans shall show the correct elevations above sea level for the lot and the finished floor levels including basement.
- ☒ Comments: Show finished floor elevations including basement, if there are any as required by Section 516.0.

2. These abbreviated comments refer only to the information provided by the drawings submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired, the applicant may obtain additional information by visiting Room 210 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

By: C. E. Burman, Chief
Building Plans Section

SPECIAL NOTES FOR CONSTRUCTION IN TIDAL RIVERINE AREAS BILL #17-85 BALTIMORE COUNTY BUILDING CODE 1984 EFFECTIVE - APRIL 22, 1985

SECTION 516.0 A Section added to read as follows:

SECTION 516.0 CONSTRUCTION IN AREAS SUBJECT TO FLOODING

516.1 AREAS SUBJECT TO INUNDATION BY TIDEWATERS:

1. Whenever building or additions are constructed in areas subject to inundation by tides, the building's lowest floor (including basement) shall be not lower than one (1) foot above the 100-year flood elevation, as established by the U.S. Army Corps of Engineers or the Federal Flood Insurance Study, whichever is more restrictive. These buildings or additions shall be designed and adequately anchored to prevent flotation, collapse, or lateral movement of the structure with materials resistant to flood damage.

Areas beneath buildings will not be considered as basements if headroom to underside of floor joists is less than six feet or if enclosure walls are at least 50 percent open.

2. Crawl spaces under buildings constructed in the tidal plain, as determined by the U.S. Army Corps of Engineers or the Federal Flood Insurance Study, whichever is the more restrictive, shall be constructed so that water will pass through without resulting debris causing damage to the improvements of any property.

3. New or replacement utility systems, including but not limited to water supply, sanitary sewage, electric, gas and oil, must be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters, and require on-site waste disposal systems to be located so as to avoid impairment of them or contamination from them during flooding.

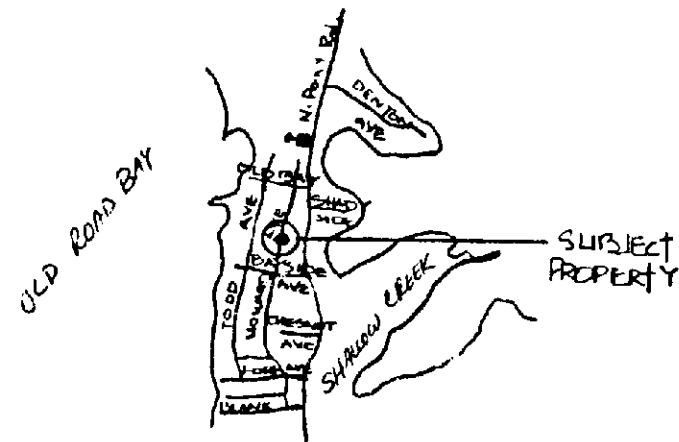
516.2 RIVERINE AREAS SUBJECT TO INUNDATION BY SURFACE WATERS WITHIN THE 100 YEAR FLOOD PLAIN.

1. No structures or additions shall be within the 100-year flood plain of any watercourse. The 100-year flood plain shall be based upon the Federal Flood Insurance Study or the Department of Public Works, whichever is the more restrictive. This determination shall include planned future development of the watershed area.

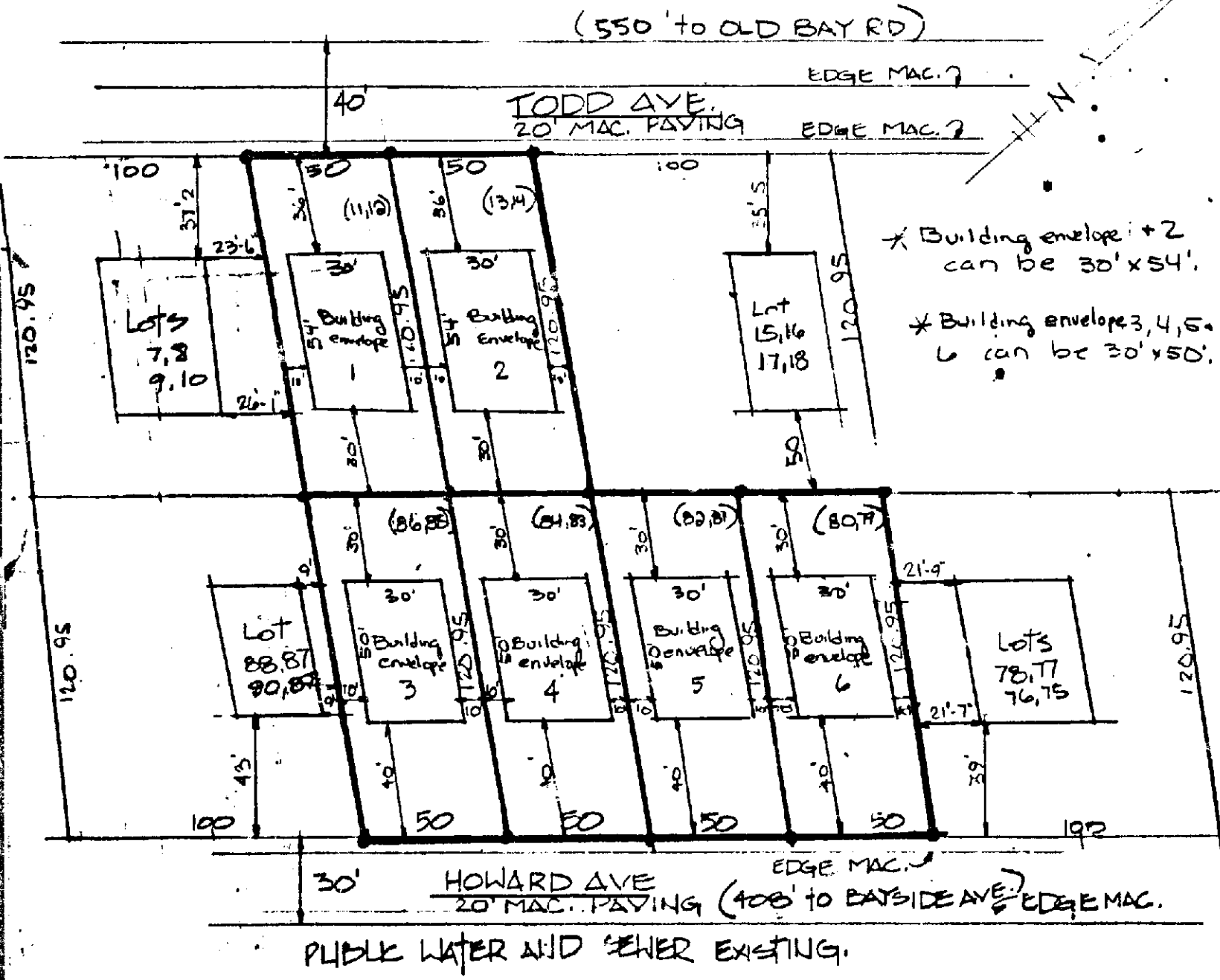
2. Reconstruction of residential dwelling units shall be governed by Sections 103.0 or 123.0 as applicable, except that rebuilding of residential dwelling units damaged in excess of 50 percent of physical value shall also be governed by the provisions of Subsection 516.1 of this Section.

3. Reconstruction of other than residential buildings or structures in the riverine areas shall be made to conform to 516.1 when damage exceeds 50 percent of physical value.

April 1985



VICINITY MAP



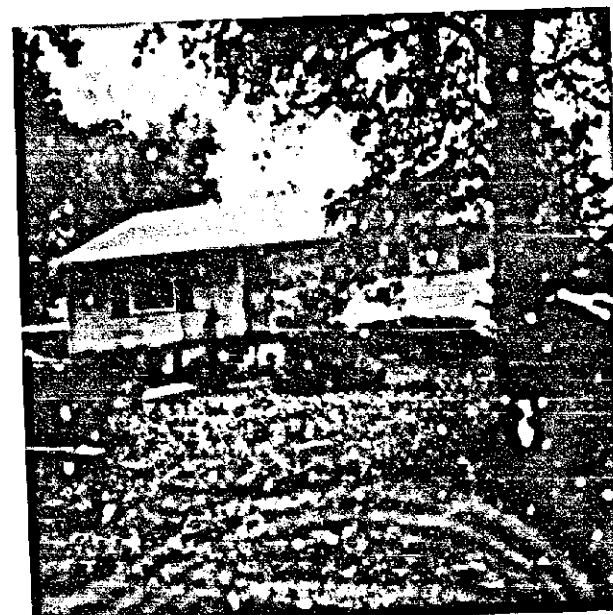
PLAT FOR ZONING VARIANCE
OWNER - MR & MRS. FRED A. SURGUY
DISTRICT - 15 ZONED D.R. 55
SUBDIVISION - NORTH POINT
TERRACE (SECTION B)
WPC #6/155
SCALE 1" = 50'

202

BY: NICOLE F. SEYMANEK



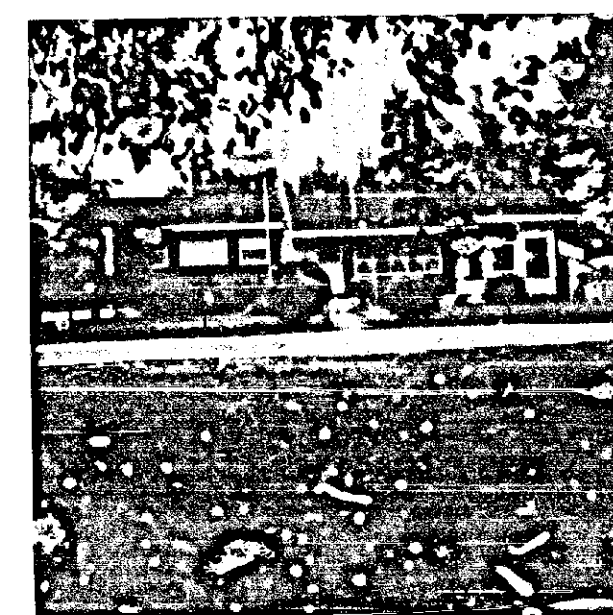
Lot 78, 77, 76, 75 100 x 100



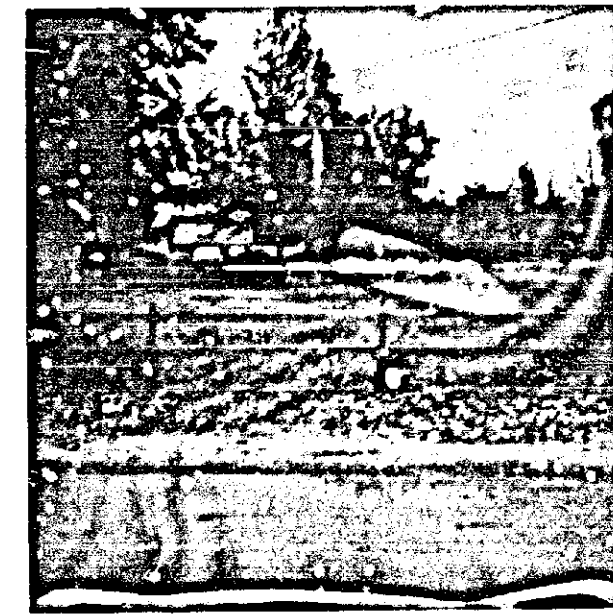
Lot 11, 12, 13, 14 100 x 100



Lot 17, 18 100 x 100



Lot 78, 77, 76, 75 100 x 100



Lot 15, 16 50 x 100